



# VIRGINIA DEPARTMENT OF SOCIAL SERVICES

## The Preventing Sex Trafficking & Strengthening Families Act

**H.R. 4980**

*Carl E. Ayers, MSW  
Commission on Youth  
May 5, 2015*

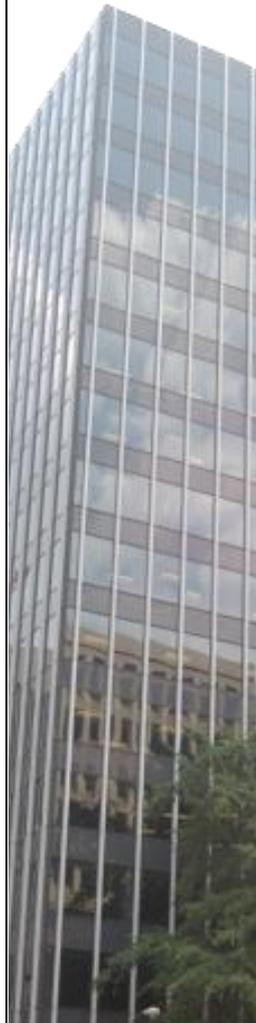
*People helping people triumph over poverty, abuse and neglect  
to shape strong futures for themselves, their families and communities*



# Overview

Signed by President Obama on 9/29/2014

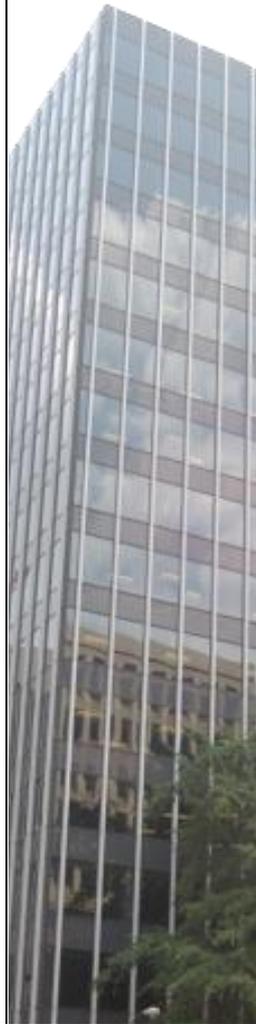
- **Title I**
  - Protecting Children and Youth at Risk of Sex Trafficking
  - Improving Opportunities for Children in Foster Care and Supporting Permanency
- **Title II**
  - Improving Adoption Incentive Payments
  - Extending the Family Connection Grant Program
- **Title III**
  - Improving International Child Support Recovery





# Title I – Sex Trafficking

- VDSS must develop policies and procedures to identify, document and determine services for children who are at risk of becoming a trafficking victim.
- **October 2015**
  - Develop and implement a training for front-line workers.
  - The training must address identifying, documenting and delivering appropriate services.
- **Populations affected:**
  - Youth under the placement, care or supervision of the local departments of social services.
  - Youth who have run away from foster care.
  - Youth receiving Chafee (Independent Living) services.

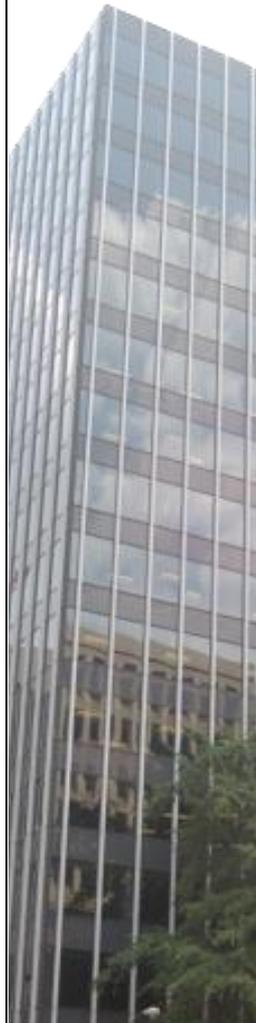




# Title I – Sex Trafficking

## Reporting Requirements:

- **October 2016**
  - Report to law enforcement, within 24 hours, when a youth is identified as a sex trafficking victim.
- **October 2017**
  - Report # of sex trafficking victims to Health and Human Services (HHS) on an annual basis.
  - Upgrade I.T. system to incorporate into Adoption and Foster Care and Analysis Reporting System (AFCARS) data.
  - This must include reporting youth who were victims prior to entry into foster care as well as youth who became victims after entering foster care.





# Title I – Runaway Youth

## Reporting Requirements:

- **October 2015**
  - Develop and implement a plan to expeditiously locate any child missing from foster care.
  - *Currently, we have 17 runaway children<sup>1</sup>.*
  - *There were a total of 39 in FY14<sup>2</sup>.*
- **October 2016**
  - Notify, within 24 hours of any runaway or absconded child, the National Center for Missing and Exploited Children and National Crime Information Center.

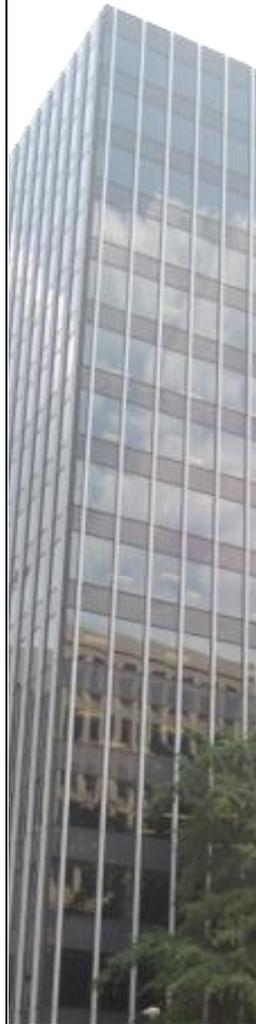
*These requirements, along with procedures for working with runaway youth, have been added to the next version of VDSS guidance, which is currently in the process of being published.*

<sup>1</sup> VCWOR (10/01/2014); <sup>2</sup> VCWOR (07/01/2014)



# Title I – “Prudent Parent”

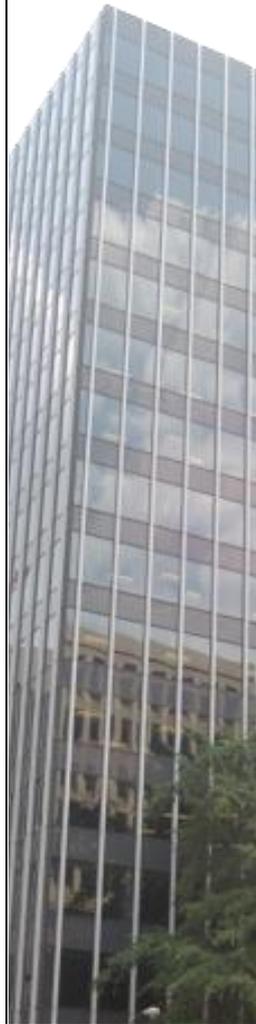
- October 2015
  - Implement a new “reasonable and prudent parent standard”.
  - Will allow foster parents to make parental decisions that maintain the health, safety and best interest of the child while allowing them to participate in activities typical of youth not in foster care.
  - Sleepovers
  - School/Church/Cultural Trips
  - Extracurricular Activities





# Title I – “Prudent Parent”

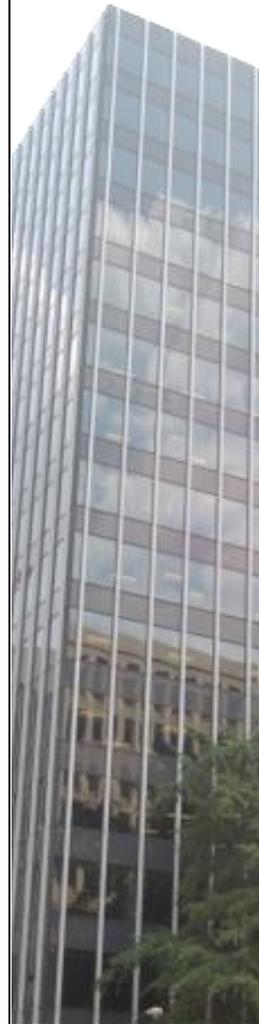
- Health and Human Services will be providing technical assistance on implementation of this standard
  - On May 29, 2015, a day-long meeting will be convened at the White House to begin this process with the Child Welfare Directors from all 50 states
  - The focus will be:
    - Providing participants with relevant resources, tools and discussion opportunities for the timely implementation of the “reasonable and prudent parenting standard”; and
    - How to best serve young adults, age 18 and older, who are in foster care and/or being served by the Chafee Foster Care Independence Program





# Title I – Permanency

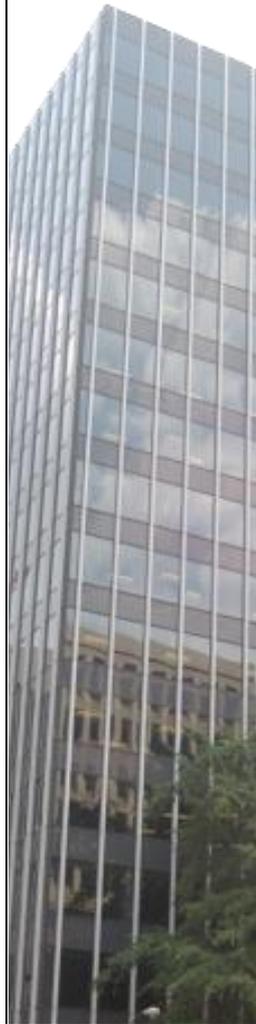
- Eliminates APPLA as a goal for children under 16.
- We currently have 405 children<sup>3</sup> with this goal and 129 are under the age of 16<sup>4</sup>.
- At each court hearing, local departments must document the “intensive, ongoing and unsuccessful” efforts to locate family members.
- At each hearing, judges will be required to ask the child about the child’s desired permanency outcome and make a judicial determination which explains why APPLA is the best option.
- Effective immediately, HHS will start reporting to Congress the state-level data on congregate-care placement rates.





# Title I – Youth Empowerment

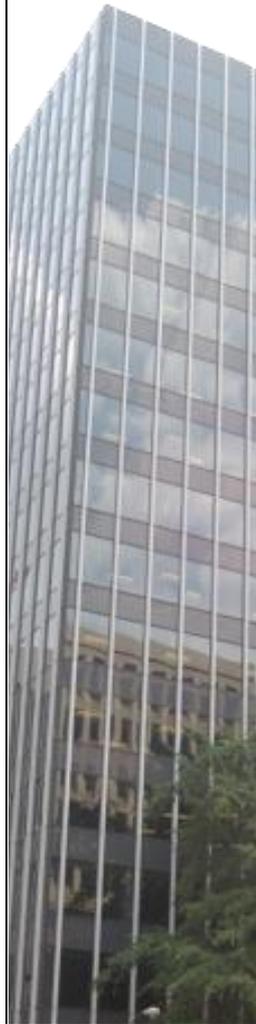
- Youth in foster care, 14 and older, are allowed to choose two (2) individuals who are not a foster parent or case worker to be a part of their case planning team.
  - The local department can reject either individual if it is believed they wouldn't act in the best interest of the child;
  - One individual may be designated as the child's advisor and advocate regarding the application of the prudent parent standard.
- **October 2015 (unless legislation is needed)**
  - The Service Plan for all children, 14 and older, must include a list of "Foster Youth Rights";
  - Youth must sign an acknowledgement they received this document.





## Title I – Youth Empowerment (continued)

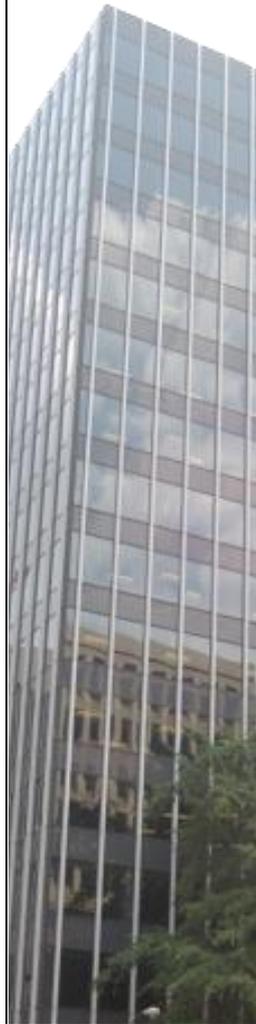
- Any youth aging out of care who has been in foster care six (6) months or longer must be given a certified copy of their:
  - Birth certificate;
  - Social Security card;
  - Health insurance information;
  - Medical records;
  - Driver's license (or identification card).





## Title II – Adoption Incentives

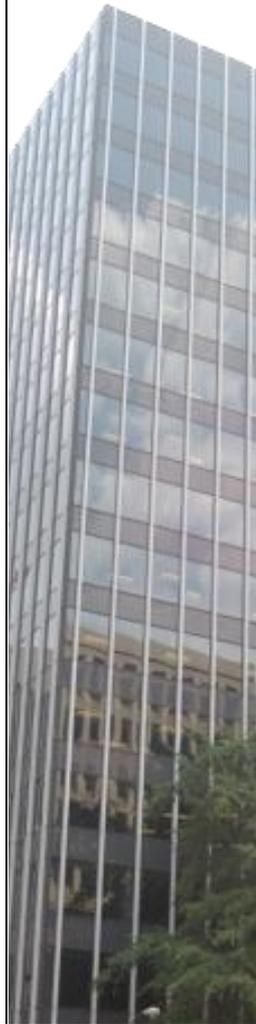
- Reauthorizes the Adoption Incentive Program for three (3) years and renames it to “Adoption and Legal Guardianship Incentive Payments”.
- Changes the award structure to incentivize **rates** of adoption rather than **numbers** of adoptions.
- Awards based on improvements over previous three (3) years in the following areas:
  - Adoption Rate of Foster Children;
  - Pre-pubescent Adoptions;
  - Older Youth Adoptions;
  - Guardianship Placements \*(not currently an option in Virginia).
- Virginia budget language (HB2271, 2013) specifies that this money must be spent on post-adoption services.
- Recent Awards:
  - 2014 (\$324k); 2013 (\$248k); 2012 (\$952k); 2011 (\$72k)





## Title II – Adoption

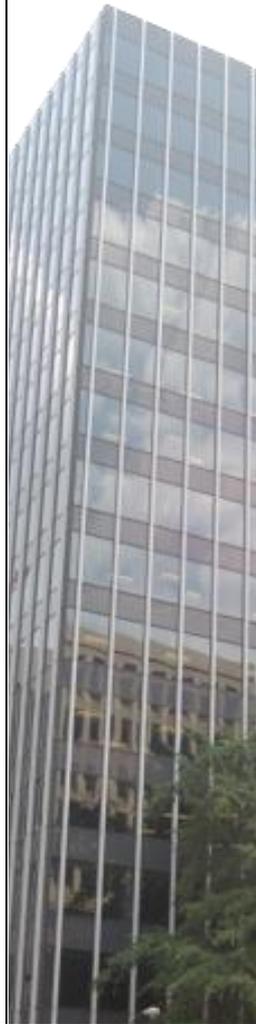
- Effective **upon enactment**, states are required to collect and report on the following:
  - Number of children who re-enter care after a finalized adoption or guardianship;
  - Age when they left care and age when they re-entered care.
  - Public or Private adoption/guardianship;
- Family Services has submitted a “service request” to begin the process of adding these fields to our OASIS system.
- This law also clarifies language that all parents and siblings (both birth and adoptive) of a child must be notified within 30 days of their entry into foster care;
- A legislative change to the definition of a sibling is required to meet this new requirement.





## Title III – Child Support

- Increases cooperation and data-sharing between countries when searching for parents for the purposes of child support;
- Health and Human Services (HHS) must design a data exchange standard for state agencies to share information with each other and the federal government.
- **June 2015**
  - HHS must report on:
    - The effectiveness of state programs;
    - Recommendations on how to improve; and,
    - Conduct a review of “best practices”.





# Questions

Any questions or comments?

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